THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

W.P.No.20805/2000

Dt.11-7-2007

Fishermen Co-op. Society, Boyapalli village, Mahabubnagar Mandal, represented by its President B.Ramachandraiah S/o Balaiah. ..Petitioner

V.

1.The Commissioner of Fisheries/Ex-Officio Registrar of Co-op. Societies, Andhra Pradesh, Hyderabad, and two others.

..Respondents.

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ORAL ORDER

The petitioner-Fishermen Co-op. Society, Boyapalli was registered on 1-9-1998 with 14 members, covering the water sources of Boyapally and Zinallipur villages and the water sources of said villagers are Waddevani Cheruvu, Tettavani Cheruvu, Mallanna Cheruvu, Hanumanthu Cheruvu and Kothakunta. Out of 14 members, 12 members belong to Boyapally and the remaining two members to Zinallipur village. The Fishermen of Zainallipur village have given a representation dt. 2-11-1998 to the Assistant Director of Fisheries, Mahabubnagar seeking permission for forming a separate Fishermen Co-operative Society at Zainallipur with the water sources of Waddevani Cheruvu, Dosani Kunta, Kotha Kunta, Gora Kunta and Kanaivani Kunta, as those water sources are within the limits of their village. After necessary inspection by the officials of the Fisheries Department, notices were given to the petitioner-Society on 20-9-99, 17-2-2000, 10-7-2000 and 19-8-2000 for deletion Zainallipur from its area of operation and for forming a separate Fishermen Co-operative Society at Zainallipur. Questioning the same, the petitioner-Society filed an appeal before the first respondent-Commissioner of Fisheries, which was dismissed by the Commissioner holding that it is only a notice and nothing has been made out to interfere with the order. Questioning the dismissal of the appeal, the present writ petition has been filed.

The second respondent-Assistant Director of Fisheries, Mahabubnagar District filed a counter stating that subsequent to filing of the writ petition, pursuant to the notice issued, a provisional registration certificate was issued on 27-12-2000 registering the Fishermen Co-operative Society at Zainalipur with the area of operation as mentioned in the notice.

In view of the subsequent developments, the writ petition has become infructuous. However, the petitioner-society, if aggrieved of the deletion of certain tanks from its area of operation and forming a separate society, is at liberty to challenge the same before the appropriate forum.

The writ petition is accordingly dismissed as having become infructuous. No costs.

A.GOPAL REDDY,J

Dt.11-7-2007

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